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OFFICE OF PETITIONS

In re Application of :
Spencer Dick :
Application No. 10/642,350 :
Filed: August 15, 2003 :
Attorney Docket No. PAI 308B :

ON PETITION

This is a decision on petition to withdraw the holding of abandonment under 37 CFR 1.181 filed April 26, 2007.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application was held abandoned June 25, 2006 for failure to timely reply to the non-final Office Action mailed on March 24, 2006. The non-final Office Action set a three (3) month extendable time period for reply. A Notice of Abandonment was mailed October 10, 2006.

Petitioner asserts that a reply to the non-final Office Action was submitted on September 29, 2006. As evidence, petitioner has submitted a copy of the reply which contains an amendment, a three month extension of time, and a certificate of mailing dated September 25, 2006 pursuant to 37 CFR 1.8. Petitioner has also provided a copy of a postcard receipt with an Office stamp of September 29, 2006.

The response received September 29, 2006 has been located. In view of the evidence submitted, the response is deemed timely.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The application file is being forwarded to Technology Center 3700 for further processing of amendment.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant

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